between Citizen's Fort Ashby exchange and the Cumberland, Maryland, exchanges.

FINDINGS OF FACT

- 1. There is no dispute between Bell Atlantic-West Virginia, Inc., and Commission Staff in Case No. 92-1188-T-C because Bell Atlantic-West Virginia, Inc., has agreed to take whatever steps are necessary to attempt to implement interstate EAS between its Mason exchange in West Virginia and the GTE North exchanges in Pomeroy, Ohio, across the Ohio River from Mason, West Virginia. (Tr. Vol. II, pp. 6-10; Bell Atlantic Exhibit No. 3).
- 2. There is no longer a dispute between Commission Staff and Citizens Telecommunications Company of West Virginia, Inc., in Case No. 93-0273-T-C, with respect to the Commission's lack of jurisdiction to require local exchange companies in West Virginia to implement interstate EAS. (Citizens Initial Brief and Commission Staff Initial Brief, filed November 21, 1994).
- 3. The communities of Mason and New Haven, West Virginia, and Pomeroy and Middleport, Ohio, have developed into, essentially, one large consolidated community, with as many as 50% of the people in the four communities living in one state and working in the other state. (Tr. Vol. II, pp. 35, 36, 38, 40, 42-43, 44, 45, 48, 50-51, 52, 56, 61-62, 64, 59, 73 and 79).
- 4. All of the speakers at the Mason community of interest hearing engaged in interstate calling covering distances of five miles or less several times per day because of jobs, families, schools and friends. All of the speakers indicated that their calling volumes to the affected exchanges would substantially increase if local service is instituted between the four communities. (Tr. Vol. II, pp. 30, 33, 35, 38, 41, 43, 50, 51, 52, 53, 54, 55, 56, 58-59, 60, 61-62, 63, 64, 65, 69, 71, 74, 76, 77, 78 and 79).
- 5. All of the businesses in the Mason/New Haven area have significant numbers of customers on both sides of the Ohio River in all four communities and all of the businesses in those communities experience large telephone bills because of the amount of interstate calling necessary to run their businesses, due to the current configuration of the existing LATA boundary. (Tr. Vol. II, pp. 33, 34, 37, 38, 39-40, 41, 42, 43, 44, 45, 48, 54, 55, 56, 57, 60, 61, 62, 63, 64, 66-67, 69, 71, 72-73, 76, and 77).
- 6. In the Mason/New Haven/Pomeroy/Middleport area, it is quite common for parents of children attending school in one state to work in the other state, causing a significant monthly telephone expense for all of the Ohio and West Virginia kindergarten, elementary, junior high and renior high schools in the area. It is common for the schools in the ffected communities to have to contact parents directly for a variety of reasons, and, accordingly, all of the schools must accommodate high telephone bills in their budgets due to the lack of local calling between the four communities. (Tr. Vol. II, pp. 42-43, 48, 50-56, 58, 65, 69, 70-71, 79 and 80).

- 7. Hospitals, other medical facilities and medical personnel in the Mason/New Haven/Pomeroy/Middleport area, including doctors, dentists and pharmacies, routinely treat patients and have patrons from all four communities and experience high long distance calling expenses, due to the current configuration of the existing LATA boundary, even though most of the residents of the area and their patients live within a ten mile radius of each other. (Tr. Vol. II, pp. 30, 33, 35, 38, 43, 51, 58, 59, 60-61, 62, 63 and 79).
- 8. Emergency medial services personnel from the four communities routinely transport patients between the two states and have a significant amount of telephone calling between the medical facilities and their base areas. (Tr. Vol. II, pp. 60 and 67).
- g. The fire departments in the Mason/New Haven/Pomeroy/Middleport area work closely in conjunction with each other; have entered into mutual assistance pacts; provide backup assistance to each other; loan equipment between the various communities; and work together formulating regional emergency plans. As a result, all of the fire departments in the four communities experience significant long distance calling expenses due to the current configuration of the existing LATA boundary. Additionally, the businesses that supply equipment to the fire departments are located, principally, on the Ohio side of the Ohio River, so the West Virginia fire departments experience frequent long distance calling expense for this reason as well. (Tr. Vol. II, pp. 32, 41, 46, , 55, 67, 68, 71 and 76).
- 10. The civic organizations for all four communities work closely together and coordinate and plan events with each other. Additionally, several of the local civic organizations have residents of both Ohio and West Virginia on their boards because of this close interrelationship. (Tr. Vol. II, pp. 69-70).
- 11. Economic development organizations from the Mason/New Have/Pomeroy/Middleport area work as one, treating the area as one consolidated economic development location. However, the economic development efforts of the area are being hampered by the existing LATA boundary. (Tr. Vol. II, pp. 40, 43, 45, 46-47, 53, 61, 62, 67, 73, 74-75).
- 12. The local governments of the Mason/New Haven/Pomeroy/Middleport communities work closely with each other, communicating about various matters, including delinquent municipal service customers, and emergency and economic development plans. (Tr. Vol. II, pp. 46-47, 55, 70, 75-76).
- 13. Bell Atlantic-West Virginia, Inc., sent a customer survey to every customer in its Mason exchange, consisting of 804 customers and received responses from approximately 400, or 47%, which was one of the highest responses to one of these surveys that the Company had ever seen, indicating extreme interest in interstate local calling between the Mason change and the Pomeroy exchange, and causing Bell Atlantic-West Virginia, Inc., to voluntarily agree to attempt to provide such service. (Tr. Vol. II, pp. 6-10; Bell Atlantic Exhibit No. 3).

- 14. The Cumberland, Maryland, area is the emergency, employment, economic, business and cultural center for northern Mineral County in West Virginia, including the Fort Ashby exchange. (Tr. Vol. III, pp. 8, 15, 23, 27, 56, 62, 72-74, 90).
- 15. The Fort Ashby exchange in West Virginia is only eight miles from the Cumberland exchanges. Approximately 25% of the entire Mineral County population is employed in Allegheny County, Maryland, with approximately 35-40% of the Fort Ashby residents working in the Cumberland area. (Tr. Vol. III, pp. 8, 12-13, 18, 42, 47 and 64).
- 16. As a result of their employment in Cumberland, Maryland, many Fort Ashby exchange residents are frequently required to make long distance telephone calls to reach their places of employment or, when they are at work, their childrens' schools in West Virginia. (Tr. Vol. III, pp. 8, 12, 18, 42, 47 and 64).
- er, with Mineral County, West Virginia, being included in the Cumberland metropolitan statistical area for census and economic study purposes. Additionally, the City of Cumberland Airport is located in Mineral County, West Virginia, evidencing the expansion of the Cumberland metropolitan area into Mineral County. (Tr. Vol. III, pp. 10-11, 18-19, 37 and 40).
- 18. All of the businesses and schools in the Fort Ashby exchange must communicate on a daily basis with businesses in the Cumberland exchanges to obtain the supplies that they need and to deal with customers. The bank in the Fort Ashby exchange is a branch of a Cumberland bank and must communicate constantly across the LATA boundary with Cumberland. All of the schools in the Fort Ashby exchange must deal with vendors in the Cumberland exchanges because most of the supplies they require cannot be obtained in their local calling vicinity. (Tr. "III. III, pp. 25-26, 33-34, 35, 36, 38, 46-47, 49-50, 52-53, 56, 59-60, 61, 62, 71, 81 and 90).
- 19. Economic development in the Mineral County area generally and the Fort Ashby area, particularly, is being hindered as a result of the configuration of the LATA boundary in the area and the inability of the Fort Ashby exchange residents to make local calls to Cumberland, Maryland. As a result, many businesses and individuals interested in locating in the Fort Ashby exchange choose to locate in other areas once they learn about the local calling situation. (Tr. Vol. III, pp. 10-11, 14-15, 16-17, 23-24, 25, 37-38, 40-41, 54, 60 and 93-94).
- 20. Most of the residents of the Fort Ashby exchange obtain their principal medical care from hospitals, clinics and doctors in the Cumberland area and, for any specialized services, are totally dependent upon Cumberland area hospitals and other medical facilities. Approxitately 95% of all Mineral County, West Virginia, emergency ambulance alls go to the Cumberland area hospitals. (Tr. Vol. III, pp. 17, 46, 57, 62-63, 67, 71, 74, 76-77, 81, 85-86, 87-88 and 95).

21. Currently, Citizens Telecommunications Company of West Virginia, Inc., has not accumulated the data necessary to enable it to make reasonable cost estimates for providing interstate EAS between its New Haven exchange and Pomeroy and Middleport, Ohio, and its Fort Ashby exchange and Cumberland, Maryland. (Citizens Exhibit No. 2, generally).

CONCLUSIONS OF LAW

- 1. Due to the agreement of Bell Atlantic-West Virginia, Inc., to attempt voluntarily to obtain approval for providing interstate EAS between its Mason exchange and Pomeroy, Ohio, and due to the agreement between Commission Staff and Citizens Telecommunications Company of West Virginia, Inc., that the Public Service Commission of West Virginia lacks the jurisdiction to require West Virginia local exchange companies to provide interstate EAS telecommunications services, it is unnecessary for the Administrative Law Judge to address the merits of the Staff plan filed in this proceeding in August of 1993, which actually generated the reopening of these proceedings.
- 2. As a result of prior rulings of Judge Green, overseeing divestiture matters in the United States District Court for the District of Columbia, it is necessary for the Administrative Law Judge and, ultimately, the West Virginia Public Service Commission to make a determination as to the community of interest between the West Virginia exchanges hich are the subject of the two instant consolidated proceedings and their sister exchanges across the LATA boundaries, to which those exchanges desire local calling, to see if a request to the Department of Justice and the United States District Court for the District of Columbia for a waiver from or modification of the existing LATA boundaries in the affected areas would be justified.
- 3. As a result of all of the evidence discussed at pages 15-18 and 21-22 of this decision, the Administrative Law Judge concludes that a substantial and significant community of interest exists between Bell Atlantic's Mason exchange and Citizens' New Haven exchange, on the one hand, and the Ohio telephone exchanges across the Ohio River, serving Pomeroy and Middleport, Ohio, on the other hand, thereby justifying a request to the Department of Justice and the United States District Court for the District of Columbia for a waiver from or modification of the existing LATA boundaries in the affected area.
- 4. Based upon the evidence discussed at pages 19-20 and 23 of this decision, the Administrative Law Judge concludes that there is a substantial and significant community of interest between Citizens' Fort Ashby exchange on the one hand, and the Cumberland, Maryland, telephone exchanges, on the other hand, thereby justifying a request to the Department of Justice and the United States District Court for the District of Columbia for a waiver from or modification of the existing LATA houndaries in the affected area.
- 5. Since Citizens Telecommunications Company of West Virginia, Inc., has not accumulated sufficient data to allow it to make a reasonable cost estimate to provide interstate EAS from its exchanges which are

the subject of these proceedings, it is reasonable to direct Citizens to cooperate fully with Commission Staff and to begin to accumulate whatever data and information Commission Staff believes is necessary to enable reasonable decisions to be made with respect to the provision of interstate EAS from the West Virginia exchanges which are the subject of these cases.

ORDER

IT IS, THEREFORE, DETERMINED that a substantial and significant community of interest exists between the Mason exchange of Bell Atlantic-West Virginia, Inc., and the New Haven exchange of Citizens Telecommunications Company of West Virginia, Inc., on the one hand, and the telephone exchanges serving the communities of Pomeroy and Middleport, Ohio, based upon the evidence submitted in the hearing held in Case No. 92-1188-T-C on October 13, 1994.

IT IS FURTHER DETERMINED that a substantial and significant community of interest exists between the Fort Ashby exchange of Citizens Telecommunications Company of West Virginia, Inc., on the one hand, and the telephone exchanges serving the Cumberland, Maryland, area, on the other hand, based upon the evidence submitted at the hearing held in Case No. 93-0223-T-C on October 18, 1994.

IT IS, THEREFORE, ORDERED that Citizens Telecommunications Company of West Virginia, Inc., cooperate fully with the Telecommunications and Legal Staff of the Public Service Commission of West Virginia, and commence the accumulation of the data and information specified by the Commission's Telecommunications Division with respect to the ultimate provision of interstate extended area service from Citizens' New Haven exchange to Pomeroy and Middleport, Ohio, and from Citizens' Fort Ashby exchange to the Cumberland, Maryland, exchanges.

IT IS FURTHER ORDERED that these proceedings be, and they hereby are, dismissed and stricken from the Commission's docket of open cases.

The Executive Secretary is hereby ordered to serve a copy of this order upon the Commission by hand delivery, and upon all parties of record by United States Certified Mail, return receipt requested.

Leave is hereby granted to the parties to file written exceptions supported by a brief with the Executive Secretary of the Commission within fifteen (15) days of the date this order is mailed. If exceptions are filed, the parties filing exceptions shall certify to the Executive Secretary that all parties of record have been served said exceptions.

If no exceptions are so filed this order shall become the order of the Commission, without further action or order, five (5) days following he expiration of the aforesaid fifteen (15) day time period, unless it ordered stayed or postponed by the Commission.

Any party may request waiver of the right to file exceptions to an Administrative Law Judge's Order by filing an appropriate petition in

Ariting with the Secretary. No such waiver will be effective until approved by order of the Commission, nor shall any such waiver operate to make any Administrative Law Judge's Order or Decision the order of the Commission sooner than five (5) days after approval of such waiver by the Commission.

Melissa K. Marlane

Melissa K. Marland Chief Administrative Law Judge

MKM:dfs:mal

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,	
Plaintiff,	
-against-	Civ. Act. No. 82-0192 (HHG)
WESTERN ELECTRIC COMPANY, INC., and AMERICAN TELEPHONE AND TELEGRAPH COMPANY,	
Defendants.	
ORDER	
Upon the motion of the United States, dated, 1995, and the entire	
record herein, it is hereby	
ORDERED that Bell Atlantic may provide extended area service between	
its Mason exchange and the exchanges serving Pomeroy and Middleport, Ohio	
	rold H. Greene
Ur	ited States District Judge
Dated:	

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing "Application for EAS Waiver" was served this 4th day of December 1995, by first class mail, postage prepaid, on the parties on the attached list.

U.S. Department of Justice

onald J. Russell, Esq.
Chief, Telecommunications
Task Force
Antitrust Division
U.S. Department of Justice
555 Fourth Street, N.W.
Washington, D.C. 20001

Department of Justice

Nancy C. Garrison, Esq.
Senior Appellate and Communications
Counsel, Appellate Section
Antitrust Division
Room 3224
United States Department of Justice
10th & Constitution Ave., N.W.
Washington, D.C. 20530

Ameritech

omas P. Hester, Sr., Esq.
...ce President & Gen. Counsel
Ameritech
30 South Wacker Drive
39th Floor
Chicago, IL 60606

BellSouth Corporation

Richard W. Beckler, Esq.
Stephen M. McNabb, Esq.
Michael P. Goggin, Esq.
Fulbright & Jaworski
801 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

BellSouth Corporation

William B. Barfield, Esq. 11South Corporation 1155 Peachtree Street, N.E. Atlanta, GA 30367-6000

NYNEX Corporation

Raymond F. Burke, Esq. Vice President & Gen. Counsel NYNEX Corporation 1113 Westchester Avenue White Plains, NY 110604

Pacific Telesis Group

Richard W. Odgers, Esq. James L. Wurtz, Esq. Pacific Telesis Group Suite 400 1275 Pennsylvania Avenue, N.W. Washington, D.C. 20004

SBC Communications. Inc.

James D. Ellis, Esq.
Senior Vice President &
General Counsel
SBC Communications, Inc.
175 East Houston
Room 1306
San Antonio, TX 78205

U S West, Inc.

Charles P. Russ, III, Esq. Executive Vice President & General Counsel U S West, Inc. 7800 East Orchard Englewood, CO 80111

Bell Operating Companies

Michael K. Kellogg, Esq. Kellogg, Huber, Hansen & Todd 1300 I Street, N.W. Suite 500 East Washington, D.C. 20005

TATA

John Zeglis, Esq.
Senior Vice President &
General Counsel
American Telephone & Telegraph
Room 17-435313
295 North Maple Avenue
Basking Ridge, NJ 07920

Ad Hoc Telecommunications Users Association

James S. Blasak, Esq.
Levine, Blaszak, Block & Boothby
1300 Connecticut Avenue, N.W.
Suite 500
Washington, D.C. 20036

AirTouch Communications

David Gross
irTouch Communications
1818 N Street, N.W.
Suite 800
Washington, D.C. 20036

ALC Communications Corporation

Roy L. Morris, Esq.
Deputy General Counsel
ALC Communications Corporation
1990 M Street, N.W.
Suite 500
Washington, D.C. 20036

GTE Corportion

C. Daniel Ward, Esq.

CME Service Corporation

a Stanford Forum

Stamford, CT 06904

American Newspaper Publishers Association: Telocator Network of America

Richard E. Wiley, Esq. Wiley, Rein & Fielding 1776 K Street, N.W. Washington, D.C. 20006

ADPSO: IDCMA

Herbert E. Marks, Esq.
Joseph P. Markoski, Esq.
Jonathan Jacob Nadler, Esq.
Thomas E. Skilton, Esq.
Squire, Sanders & Dempsey
1201 Pennsylvania Avenue, N.W.
P.O. Box 407
Washington, D.C. 20044

California Public Utilities Commission

Janice E. Kerr, Esq.
J. Calvin Simpson, Esq.
Gretchen Dumas, Esq.
California Public Utilities
Commission
505 Van Ness Avenue
San Francisco, CA 94102

<u>Competitive Telecommunications</u> <u>Association</u>

Robert J. Aamoth, Esq. Reed, Smith, Shaw & McClay 1301 K Street, N.W. Suite 1100 - East Tower Washington, D.C. 20036

Compuserve Incorporated

Randolph J. May, Esq.
Sutherland, Asbill & Brennan
1275 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Computer & Communications Industry

John Haven Chapman, Esq. Chapman, Moran, Hubbard and Zimmerman Three Landmark Square Stamford, CT 06901

District of Columbia Public Service Commission and the Office of the Corporation Counsel

Howard C. Davenport, Esq.
Herbert O. Reid, Sr., Esq.
District of Columbia Public Service
Commission and the Office of the
Corporation Counsel
450 5th Street, N.W.
Washington, D.C. 20001

Federal Communications Commission

William E. Kennard, Esq. General Counsel Federal Communications Commission 1919 M Street, N.W. Washington, D.C. 20554

Information Industry Association

Robert J. Butler, Esq. Wiley, Rein & Fielding 1776 K Street, N.W. Washington, D.C. 20006

MCI Communications Corporation

Anthony Epstein, Esq.

Jenner & Block

13th Street, N.W.

Washington, D.C. 20005

Interactive Services Association

Howard M. Liberman, Esq. Arter & Hadden 1801 K Street, N.W. Suite 400K Washington, D.C. 20006

LDDS

Danny Adams
Wiley, Rein & Fileding
1776 K St., NW
Washington, DC 20036

National Association of Broadcasters

Henry L. Baumann, Esq. General Counsel National Association of Broadcasters 1771 N Street, N.W. Washington, D.C. 20036

National Association of Regulatory Utility Commissioners

Paul Rodgers, Esq. NARUC 1102 ICC Building P.O. Box 684 Washington, D.C. 20044

National Cable Television Association

Daniel Brenner, Esq.
Neal Goldberg, Esq.
NCTA
1724 Massachusetts Avenue, N.W.
Washington, D.C. 20036

National Cable Television Association

Howard J. Symons, Esq.
Mintz, Levin, Cohn, Ferris,
Glovsky & Popeo
701 Pennsylvania Avenue, N.W.
Suite 900
Washington, D.C. 20004

New York State Department of Public Service

Penny Rubin, Esq.
New York State Dept. of
Public Service
nree Empire Plaza
Albany, NY 12223

Newspaper Association of America

John F. Sturm
Senior Vice President Government,
Legal and Policy
Newspaper Association of America
11600 Sunrise Valley Drive
Reston, VA 22091

Nextel

Robert S. Foosaner 800 Connecticut Ave., NW Suite 1001 Washington, DC 20006

National Consumers League, et al.

Samuel A. Simon, Esq. 901 15th Street, N.W. Suite 700 Washington, D.C. 20005 Telecommunications Industry Association

John L. McGrew, Esq.
Willkie, Farr & Gallagher
1155 21st Street, N.W.
Three Lafayette Centre
Washington, D.C. 20036-3302

US Sprint Communications Corp.

Leon M. Kestenbaum, Esq. US Sprint Communications Corp. Suite 1110 1850 M Street, N.W. Washington, D.C. 20036

United States Telephone Association

Mary McDermott, Esq.
Vice President &
General Counsel
United States Telephone
Association
1401 H Street, N.W., Suite 600
Washington, D.C. 20005

United States Telephone Association

Rodney J. Joyce, Esq. Ginsburg, Feldman and Bress 1250 Connecticut Avenue, N.W. Suite 800 Washington, D.C. 20036

r In Telecommunications

Kramer, Esq.
Aldrich
in & Cate
York Avenue, N.W.
≥ Suite
on, D.C. 20005-3919

lephone Coalition

sson, Esq. tephone Coalition sylvania Avenue, N.W. on, D.C. 20037

nion Corporation

Talters, Esq.
Thich Corporation
Ct ar Drive
New Jersey 07458

Tandy Corportion

John W. Pettit, Esq.
Drinker, Briddle & Reath
901 15th Street, N.W., Suite 900
Washington, D.C. 20005

Hon. Harold H. Greene
United States District Court
for the District of Columbia
3rd and Constitution, N.W
Washington, D.C. 20001

EXHIBIT C

PRESTON C. SHANNON CHAIRMAN THEODORE V. MORRISON, JR. COMMISSIONER HULLIHEN WILLIAMS MOORE COMMISSIONER



WILLIAM J. BRIDGE CLERK OF THE COMMISSION P. O. BOX 1197 RICHMOND, VIRGINIA 23209-1197

STATE CORPORATION COMMISSION

December 12, 1995

Mr. Donald J. Russell, Chief Communications Task Force Department of Justice Antitrust Division 555 4th Street, N.W. Washington, D.C. 20001

Dear Mr. Russell:

As you know, the Virginia State Corporation Commission is charged by the Virginia Constitution and enabling statutes to regulate, among other things, telephone service in the Commonwealth. We are committed to ensuring that affordable local telephone service is available to meet the expanding community of interest needs of Virginia subscribers.

Currently, this Commission is dealing with the issue of providing local calling between Bell Atlantic - Virginia, Inc.'s (BA-VA) Honaker exchange and GTE South's (GTE) Richlands exchange. A solution to this issue is Extended Local Service (ELS) which is flat-rated, non-optional calling between the exchanges. BA-VA's Honaker exchange petitioned for ELS and a majority of subscribers, after being notified of the amount their rates would increase, voted favorably. Because of the de minimus increase to Richlands subscribers, a poll was not required by Virginia law. Instead they were given notice of the proposed increase and afforded an opportunity to comment or request a hearing. When none of the Richlands customers objected or requested a hearing, the Commission entered an order approving ELS between the two exchanges.

Implementation of ELS on this toll route requires a waiver to permit Bell Atlantic - Virginia to participate in the provisioning of non-optional local interLATA calling between the Honaker exchange located in the Roanoke LATA and the Richlands exchange located in the Bluefield, West Virginia Independent Market Area.

Mr. Donald J. Russell Page 2 December 12, 1995

We respectfully request your review of this matter, and adoption of a recommendation to the United States District Court to grant this waiver.

The attachment to this letter explains the details of this request. The Director of our Communications Division, Mr. Edward C. Addison, (804) 371-9560, or his associate, Mr. Alan R. Wickham (804) 371-9674, can answer any questions regarding this matter.

Sincerely,

Preston C. Shannon

Chairman

PCS/ARW:js Attachment The Virginia State Corporation Commission (SCC) requests that Bell Atlantic - Virginia, Inc. (BA-VA) be allowed to participate in the provisioning of a non-optional service, called Extended Local Service (ELS), between its Honaker exchange located in the Roanoke, Virginia LATA and GTE South's (GTE) Richlands exchange located in the Bluefield, West Virginia Independent Market Area.

ELS Provisioning

The process used to determine if ELS will be provisioned between exchanges is mandated by Virginia State Code. The process includes a petition to the Commission for ELS by five percent (5%) of the subscribers, and either surveys of subscribers in both exchanges or public notice to determine their preference for paying higher rates for expanded local calling privileges. The Code also mandates the criteria as to the number of respondents who must vote favorably. If all criteria are met, the Commission will direct the local exchange carrier (LEC) to implement ELS. When the two exchanges are separated by a LATA boundary, a waiver is needed from the United States District Court to allow BA-VA, a Bell Operating Company, to provide the service.

Upon implementation of ELS, calling between the affected exchanges is changed from toll to local. Placing calls between the exchanges would be seven digit dialing like any other local call in Virginia.

Community of Interest Issues Between the Honaker and Richlands Areas

Honaker is a small rural exchange serving approximately 3100 customers in the northeast corner of Russell County in southwest Virginia. The Honaker exchange has no major industries, medical specialty clinics, hospitals, shopping malls, colleges, or commercial transportation facilities. The closest locations providing these facilities for Honaker exchange subscribers are the town of Richlands (population 4,500) which is in Tazewell County and served by GTE South's Richlands exchange and the town of Lebanon located in the Lebanon exchange. Honaker already has local calling to Lebanon. The provisioning of Extended Local Service from Honaker to Richlands would provide an essential local calling link between small communities in Russell County and commercial, medical, and educational centers.

ELS Provisioning Between the Honaker and Richlands Exchanges

Telephone customers in BA-VA's Honaker exchange petitioned the Commission to provide ELS to GTE's Richlands exchange. All Honaker customers were surveyed to determine their willingness to pay increased monthly rates to expand their local calling area to include Richlands. Fifty four percent (54%) of the Honaker customers responded to the survey. Of those customers responding, 90% were in favor of ELS. GTE's Richlands customers were notified by display advertising in local newspapers serving the area. There was no opposition from Richlands customers.

The Virginia State Corporation Commission's Position

This Commission, along with members of the Virginia General Assembly representing these customers, would like to resolve this calling problem. This proposal also has the endorsement of the Russell County Board of Supervisors. Therefore, the Commission respectfully requests the Department of Justice to concur in this request, and move the United States District Court to permit Bell Atlantic - Virginia, Inc. to provide ELS from its Honaker exchange to GTE - South's Richlands exchange.

October 30, 1995

Mr. Richard L. Settle, Area Manager Bell Atlantic-Virginia 700 Virginia Avenue Norton, Virginia 24273

Dear Richard:

The Russell County Board of Supervisors endorse the proposal to provide local service calling from Honaker to Richlands.

This would provide a great benefit to the elderly of the Honaker area who are dependent on medical and other essential services provided in Richlands.

With kindest regards, I am

Sincerely

James A. Gillespie County Administrator

951210003

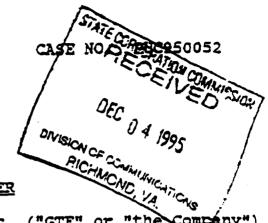
STATE CORPORATION COMMISSION

AT DUMENT COMMISSION RICHMOND, NOVEMBER 30, 1995

APPLICATION OF 30 % 4 22

GTE SOUTH. INC.

To implement extended local service from its Richlands exchange to Bell Atlantic's Honaker exchange



FINAL ORDER

on July 14, 1995, GTE South, Inc. ("GTE" or "the Company") filed an application with the State Corporation Commission ("Commission") pursuant to the provisions of Virginia Code § 56-484.2. GTE proposed to notify its Richlands exchange subscribers of the increases in monthly rates that would be necessary to extend their local service to include the Honaker exchange of Bell Atlantic-Virginia, Inc. ("BA-VA"). By order of August 18, 1995, the Commission directed GTE to publish notice of the proposed increases. Comments or requests for hearing were due on or before October 23, 1995.

On October 30, 1995, the Division of Communications submitted its report referring to the notice that was published by GTE, and stating that no comments or requests for hearing had been received. The Commission determined that, pursuant to the provisions of § 56-484.2A of the Code of Virginia, a poll was not required in the Richlands exchange because the proposed rate increase for one party residential flat rate service would not exceed 5% of the current monthly rate for such service. The Commission need not convene a hearing unless requested by the

provided in § 56-484.2C of the Code of Virginia. Accordingly, IT IS THEREFORE ORDERED THAT:

- (1) The proposed extension of local service from GTE's Richlands exchange to the Honaker exchange of BA-VA may be implemented in a manner suitable to the two companies.
- (2) The two companies shall implement the tariff revisions necessary for the proposed extension of local service.
- (3) There being nothing further to come before the Commission, this docket is closed and the papers filed herein shall be placed in the file for ended causes.

ATTESTED COPIES hereof shall be sent by the Clerk of the Commission to: Joe W. Foster, Esquire, P.O. Box 110, FLTC0007, Tampa, Florida 33601; Richard D. Gary, Esquire, Hunton & Williams, Riverfront Plaza, East Tower, 951 East Byrd Street, Richmond, Virginia 23219-4074; Stephen C. Spencer, Regional Director-External Affairs, GTE South Incorporated, One James Center, Suite 1602, 901 East Cary Street, Richmond, Virginia 23219; Division of Consumer Counsel, Office of the Attorney General, 900 East Main Street, Second Floor, Richmond, Virginia 23219; the Commission's Office of General Counsel; and the Commission's Division of Communications.

A True Copy William J. Bridge

State Corporation Commission

EXHIBIT D

DUCUMENT CONTROL AT RICHMOND, JUNE 28, 1996

APPLICATION 68 9M 4: 17

BELL ATLANTIC-VIRGINIA, INC.

CASE NO. PUC960012

To implement extended local service from the Waverly exchange to the Claremont exchange of GTE South, Incorporated

FINAL ORDER

On March 18, 1996, Bell Atlantic-Virginia, Inc. ("BA-VA" or "the Company") filed an application with the State Corporation Commission ("Commission") pursuant to the provisions of Va. Code § 56-484.2, proposing to notify the Company's Waverly exchange subscribers of the increases in monthly rates that would be necessary to extend their local service to include the Claremont exchange of GTE South, Incorporated ("GTE"). A poll of Waverly subscribers was not required under Va. Code § 56-484.2(A) because the proposed rate increase for one-party residential customers did not exceed five percent (5%) of the existing monthly one-party residential flat rate. By order dated April 4, 1996, the Commission directed BA-VA to publish notice of the proposed increase. Affected telephone customers were given until

May 29, 1996, to file comments or request a hearing on the proposal. No comments or requests for hearing were received.

On May 29, 1996, the Company filed proof of notice as required by the Commission's order of April 4, 1996.

On June 14, 1996, the Commission Staff ("Staff") submitted its report regarding the Company's application. The Staff recommended that BA-VA's application to implement extended local service from its Waverly exchange to GTE's Claremont exchange be approved. Accordingly,

IT IS THEREFORE ORDERED THAT:

- (1) The proposed extension of local service from BA-VA's Waverly exchange to GTE's Claremont exchange shall be implemented.
- (2) The Company shall implement the tariff revisions necessary for this proposed extension of local service.
- (3) This matter shall be dismissed and the papers shall be placed in the Commission's file for ended causes.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to: Warner F. Brundage, Jr., Esquire, Vice-President, General Counsel and Secretary of Bell Atlantic-Virginia, Inc., 600 East Main Street, P.O. Box 27241, Richmond, Virginia 23261; the Division of Consumer Counsel, Office of the Attorney General, 900 East Main Street, Richmond, Virginia 23219; and the

Commission's Office of General Counsel and Division of Communications.

True Casy William J. Bridge
Chark of the
STATE COMMISSION